



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

DEC 18 2008

Mr. Carlisle Roberts, Jr.
General Counsel
South Carolina Department of Health and Environmental Control
Office of General Counsel
2600 Bull Street
Columbia, South Carolina 29201

Dear Mr. Roberts:

Thank you for your letter regarding amendments to South Carolina Regulation (S.C.R.) 61-9 (*Water Pollution Control Permits*), dated May 28, 2008. South Carolina has submitted the amendments, which would result in a revision of South Carolina's National Pollutant Discharge Elimination System (NPDES) Program, for Environmental Protection Agency (EPA) approval. Most of the amendments incorporate into South Carolina regulations changes made by EPA to its own regulations relating to pretreatment, as promulgated at 70 Federal Register 60134 (October 14, 2005). Additional minor changes included in the amendments add references to revised requirements for appeals of permits and orders of the Department, and make certain clerical corrections to existing regulations. The submittal included your certification that the amendments to S.C.R. 61-9 have been duly promulgated under South Carolina law.

Based on our review of the submitted materials, we have determined that this is a non-substantial program revision which does not require a public notice under 40 Code of Federal Regulations (C.F.R.) § 123.62(b)(2). EPA further finds that the proposed revision is consistent with the requirements of the Clean Water Act and applicable regulations at 40 C.F.R. Part 123 and 40 C.F.R. Part 403. Accordingly, the program revision is approved pursuant to 40 C.F.R. § 123.62(b)(3).

Thank you for all of the work involved in accomplishing these regulatory changes. As always, we look forward to continued collaboration with the State in achieving our mutual environmental goals. If you have any questions, please feel free to call me directly or contact Gina Fonzi, P.E. at (404) 562-9301 or at fonzi.gina@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. I. Palmer, Jr.", written over a horizontal line.

J. I. Palmer, Jr.
Regional Administrator